

From: EMER.Lydia@deq.state.or.us
To: hayes-gorman.linda@deq.state.or.us
Subject: RE: Amerities West- Clarification Letter
Date: Tuesday, September 15, 2015 7:23:21 AM

Thanks for the context. I'll share with Jaclyn and request that Mark takes the lead on this with the RMT.

Sent via the Samsung GALAXY S®4, an AT&T 4G LTE smartphone

----- Original message -----

From: HAYES-GORMAN Linda <hayes-gorman.linda@deq.state.or.us>
Date: 09/14/2015 7:25 PM (GMT-08:00)
To: EMER Lydia <EMER.Lydia@deq.state.or.us>
Subject: RE: Amerities West- Clarification Letter

Yes Lydia there is value for Mark sharing. As long as it's not about ER dragging it's feet :) we've actually done 4 odor observations now. Must document with data. We have learned the current "strategy" is insufficient and that we have recommendations for making it more scientific with data and process. So good for the RMT to share.

It's a highly politically charged situation. 1 representative and 1 senator are watching as is city. One of the few places to earn full wage in town and the railroad could easily drop their contract if price goes up and their HQ could move them south. We have got to walk the very narrow center line and go through the process.

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: EMER Lydia <EMER.Lydia@deq.state.or.us>
Date: 09/14/2015 7:01 PM (GMT-08:00)
To: HAYES-GORMAN Linda <hayes-gorman.linda@deq.state.or.us>
Subject: RE: Amerities West- Clarification Letter

Sorry for the late email. Day of back-to-back meetings and lunch was subsumed by HR and workers comp. I completely understand. Apologies for the additional stress. I've spoken with Jaclyn for follow up. She's feeling for contributing to this. I'll try to connect you both when you are in town so you can establish a relationship.

Question, is there value in Mark sharing current activities and lessons learned in this ongoing project with the RMT?

You always have me in "One DEQ". Together we are all stronger.

From: HAYES-GORMAN Linda
Sent: Monday, September 14, 2015 2:34 PM
To: EMER Lydia

Subject: FW: Amerities West- Clarification Letter

Lydia,

I want to make sure Bryan understands a couple of things. First, we appreciate his support and guidance, but this is not in an enforcement posture at this time and Bryan really comes across that way. We are working in conjunction with Enforcement (Jenny) on this currently and she says we are going at an acceptable pace. We have a communication process in play, I am even communicating regularly with the local legislator about the progress. We have also planned and conducted 3 odor surveys which are the necessary documentation for the effort. So I assure you that we are not standing still.

I actually find Bryan's email below to not only sound threatening, it also calls him out directly in front of other staff, his manager and administrator. Very, very inappropriate. I am quite unhappy. We cannot meet Bryan's expectation on schedule – Frank is also in high season for TV facility inspections. On top of this, [REDACTED]
[REDACTED] Frank spent a lot of time out of town.

We have worked for decades with this facility and finally have a process. It can take up to a year to determine someone is a nuisance under the new process. Can you please work with Jaclyn to help instill a sense of propriety and courtesy, as well as patience in Bryan.

Thank you for helping me create a "One DEQ" spirit with our odor nuisance program.

Linda

From: SMITH Bryan
Sent: Monday, September 14, 2015 2:20 PM
To: MESSINA Frank
Cc: HAYES-GORMAN Linda; BAILEY Mark; ROOT Jenny; PALERMO Jaclyn; SMITH Bryan
Subject: RE: Amerities West- Clarification Letter

Good afternoon everyone.

I provided my new manager, Jaclyn, with some background information on this investigation today. I let her know I would check in with the Bend office about the progress of this second letter that we have been discussing off and on since late July. I believe this letter should be afforded a high priority for the reasons mentioned in my previous emails down below.

Jaclyn wanted me to let the group know that at this Thursday's RMT meeting she would like to discuss the progress on this letter and the investigation in general. I remain willing to help as much as possible.

Thanks, Bryan.

From: SMITH Bryan
Sent: Monday, August 31, 2015 3:32 PM

To: MESSINA Frank
Cc: HAYES-GORMAN Linda; BAILEY Mark; ROOT Jenny; SMITH Bryan
Subject: RE: Amerities West- Clarification Letter

Hi Frank.

I know you have been out of the office. But I have gotten 5-8 emails from different folks asking me how the investigation is going. I strongly think we need to get the second letter out that we discussed back in late July, and again a couple weeks ago, to preserve our credibility with complainants. Please let me know how I can help.

Thanks, Bryan.

From: MESSINA Frank
Sent: Monday, August 17, 2015 8:42 AM
To: SMITH Bryan
Cc: HAYES-GORMAN Linda; BAILEY Mark; ROOT Jenny; MESSINA Frank
Subject: RE: Amerities West- Clarification Letter

This second letter is an outline of the action plan by the company that will be referred to in the MAO.

I would like to format this action plan in a spread sheet, at the present time it is being drafted and after additional review you will get a copy.

Work in progress at the present time.

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From: SMITH Bryan
Sent: Friday, August 14, 2015 1:58 PM
To: MESSINA Frank; BAILEY Mark; ROOT Jenny
Cc: HAYES-GORMAN Linda; SMITH Bryan
Subject: RE: Amerities West- Clarification Letter

Frank, I see you sent this letter on August 3, and thanks for doing so.

My recollection from our last meeting was that we were going to very quickly send out a second letter both suggesting and requesting specific odor control measures, with a deadline for providing those specific measures to DEQ. Your August 3 letter also states we will be sending out a second

letter soon. Can you please let me know when this letter will be sent? I think it is crucial that we keep the momentum going forward as it was on May 12 that Amerities first submitted a list of potential action plans and we haven't yet provided them with any concrete suggestions. Please let me know how I can help.

Thanks, Bryan.

From: MESSINA Frank
Sent: Monday, August 03, 2015 9:08 AM
To: 'Jeff Thompson'
Cc: MESSINA Frank; BAILEY Mark; SMITH Bryan
Subject: Amerities West- Clarification Letter

Jeff, based on your July 20th, 2015 letter DEQ wanted a point of clarification and that is the reason for this letter.

A hard copy is coming in the mail.

Thanks

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